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7 Attorneys for Defendant
8 SMITH'S FOOD & DRUG CENTERS, INC.

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 12 TOMMY SCOTT;

CASE NO. 2:14-cv-00365-APG-NJK

13 Plaintiff

14 vs.

15 16 SMITH'S FOOD & DRUG CENTERS,
17 INC.; DOES I through X and ROE
18 CORPORATIONS I through X, inclusive,

19 Defendants.

20 **STIPULATION AND ORDER TO LIMIT PLAINTIFF'S DAMAGES
TO \$75,000 AND REMAND CASE TO STATE COURT**

21 WHEREAS Plaintiff has filed a Motion to Remand (Dkt. No. 4) this case to State Court
22 contending that the amount in controversy in the above captioned litigation does not exceed the
23 jurisdictional minimum for diversity jurisdiction of \$75,000.00, exclusive of interest and costs;

24 IT IS HEREBY STIPULATED AND AGREED by and between Robert L. English, Esq. of
25 the law firm SEEGMILLER & ASSOCIATES on behalf of Plaintiff TOMMY SCOTT and Jerry S.
26 Busby, Esq. of the law firm a COOPER LEVENS0N, P.A. on behalf of Defendant SMITH'S FOOD
27 & DRUG CENTERS, INC. that Plaintiff's recovery in this case shall be limited to \$75,000.00, or
28 less, exclusive of interest and costs; and

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1 IT IS FURTHER STIPULATED AND AGREED that inasmuch as the damages in this case
2 are limited to \$75,000.00, or less, exclusive of interest and costs, that this case be remanded to
3 Eighth Judicial District Court of the State of Nevada.

4 DATED this 21st day of April, 2014.

5 SEEGMILLER & ASSOCIATES

COOPER LEVISON, P.A.

7 /s/ Robert L. English
8 ROBERT L. ENGLISH, ESQ.
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10 Attorneys for Plaintiff
TOMMY SCOTT

7 /s/ Jerry S. Busby
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10 Attorneys for Defendant
SMITH'S FOOD & DRUG CENTERS, INC.

12 **ORDER**

13 IT IS SO ORDERED: This case is remanded to the Eighth Judicial District Court, Clark
14 County, Nevada.

15 
16 UNITED STATES DISTRICT JUDGE
17 DATED: April 22, 2014